

IN RE: PETITION FOR VARIANCE  
SE/S Slade Avenue, 128'+/- NE  
of the c/l Reisterstown Road  
(25 Slade Avenue)  
3rd Election District  
2nd Councilmanic District  
  
Nations Bank  
Petitioner

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 95-64-A  
\*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 25 Slade Avenue, located in the vicinity of Pikesville in northwestern Baltimore County. The Petition was filed by the owner of the property, Nations Bank, by Lloyd Nurkiewicz, Senior Project Manager, through their attorney, Howard L. Alderman, Jr., Esquire. The Petitioner seeks relief from Sections 232.2.b and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 11 feet in lieu of the required 18.75 feet for an open projection (drive-thru canopy). The subject property and relief sought are more particularly described on the site plan submitted into evidence as Petitioner's Exhibit 1.

Appearing on behalf of the Petition were Lloyd Nurkiewicz, Geoffrey C. Schultz and George Mojzisek, Professional Engineers, and Howard L. Alderman, Jr., Esquire, attorney for the Petitioner. Appearing as interested parties were Albert Weitzman and Stanley Goldberg. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of .33 acres, more or less, zoned B.L.-C.S.1 and is improved with a drive-thru bank building. The Petitioner proposes to remove the existing structure and replace same with a new drive-thru banking facility in

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Date

By

MICROFILMED

accordance with Petitioner's Exhibit 1. The Petitioner proposes a larger drive-thru facility for its customers and as a result, the proposed canopy will be located 11 feet from the side property line. Thus, the requested variances are necessary in order to proceed as proposed.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel.

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Date 10/17/84  
By [Signature]


RECEIVED

In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner this 17<sup>th</sup> day of October, 1994 that the Petition for Variance seeking relief from Sections 232.2.b and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 11 feet in lieu of the required 18.75 feet for an open projection (drive-thru canopy), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Prior to the issuance of any occupancy permits, the Petitioner shall submit a landscape plan for review and approval by the Landscape Architect for Baltimore County.
- 3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

ORDER RECEIVED FOR FILING

Date

By

TMK:bjs

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

October 17, 1994

Howard L. Alderman, Jr., Esquire  
305 W. Chesapeake Avenue, Suite 113  
Towson, Maryland 21204

RE: PETITION FOR VARIANCE  
SE/S Slade Avenue, 128'+/- NE of the c/l Reisterstown Road  
(25 Slade Avenue)  
3rd Election District - 2nd Councilmanic District  
Nations Bank - Petitioner  
Case No. 95-64-A

Dear Mr. Alderman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: People's Counsel

File

**MICROFILMED**



95-64-A

**MCKEE & ASSOCIATES, INC.**  
*Engineering - Surveying - Real Estate Development*

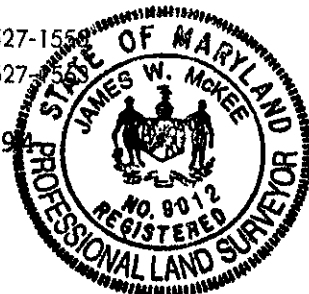
SHAWAN PLACE, 5 SHAWAN ROAD

HUNT VALLEY, MARYLAND 21030

Telephone: (410) 527-1550

Facsimile: (410) 527-1550

August 16, 1994



ZONING DESCRIPTION OF  
PROPOSED NATIONSBANK  
DRIVE-THROUGH BANKING FACILITY  
#25 SLADE AVENUE  
THIRD ELECTION DISTRICT  
BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the southernmost side of Slade Avenue, said point being situated 128 feet more or less measured northeasterly from the centerline of Reisterstown Road; thence leaving said point and running along the southernmost side of Slade Avenue, North 48° 40' 12" East 108.10 feet to a point; thence leaving said Slade Avenue and running South 37° 05' East 136.49 feet to a point; thence South 53° 02' West 107.85 feet to a point; thence North 36° 58' West 128.49 feet to the point of beginning. Containing 14,274 square feet or 0.33 acres of land, more or less.

Being known as #25 Slade Avenue, lying in the Third Election District.

MICROFILMED

ITEM#65



# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

25 Slade Avenue

which is presently zoned

BL-CST

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 232.2b and 301.1A to permit an open-projection sideyard setback (for drive-thru canopy) of 11 feet in lieu of the required 18.75 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

The bank requires an additional drive-thru lane to relieve existing back-ups, but has insufficient room on the side of the property to comply with the required setback.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Howard L. Alderman, Jr., Esquire  
Levin & Gann, P.A.

305 W. Chesapeake Avenue, Suite 110  
Towson, MD 21204

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Nations Bank

c/o Lloyd Nurkiewicz - Sr. Project Manager

(Type or Print Name)

Signature

Lloyd Nurkiewicz

(Type or Print Name)

Signature

100 South Charles Street

547-4079

Address

Phone No.

Baltimore

MD

21201

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

McKee & Associates, Inc.

Name 5 Shawan Road

Hunt Valley, MD 21030

527-1555

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

F.T.

DATE

8-17-94

ITEM # 65

Printed with Soybean Ink  
on Recycled Paper

Zoning Administration

Development Management

ORDER RECEIVED FOR FILING

Date



**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
Towson, Maryland

95-64-A

District 3rd Date of Posting 9/2/94

Posted for: Variance

Petitioner: Nations Bank

Location of property: SE/S Side Ave, #25

Location of Signs: Facing roadway, on property being zoned

Remarks: \_\_\_\_\_

Posted by M. Fleck Date of return: 9/9/94

Number of Signs: 1

10/10/94

## NOTICE OF HEARING

**111110**





Baltimore County  
Zoning Administration &  
Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt  
95-64-A

Account: R-001-6150

Number 65

R.T.

Date 8/17/94  
Narkiewicz  
#25 Slide Ave.

020 - VARIANCE - \$ 250<sup>00</sup>

080 - SIGN - \$ 35<sup>00</sup>

TOTAL - \$ 285<sup>00</sup>

MICROFILMED

D1A01HD375MICHRC

BA 0002:29PM09-17-94

\$285.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 65

Petitioner: \_\_\_\_\_

Location: \_\_\_\_\_

PLEASE FORWARD ADVERTISING BILL TO:

NAME: NATIONS BANK % LLOYD NURKIEWICZ

ADDRESS: 100 South Charles Street

BALTIMORE, MD. ~~21201~~ 21201

PHONE NUMBER: 547-4079

**MICROFILMED**

AJ:ggs

(Revised 04/09/93)

TO: PUTUXENT PUBLISHING COMPANY  
September 1, 1994 Issue - Jeffersonian

Please forward billing to:

Nations Bank  
c/o Lloyd Murkiewicz  
100 S. Charles Street  
Baltimore, Maryland 21201  
547-4079

---

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-64-A (Item 65)  
25 Slade Avenue  
SE/S Slade Avenue, 128+/- NE of c/l Reisterstown Road  
3rd Election District - 2nd Councilmanic  
Petitioner(s): Nations Bank  
HEARING: TUESDAY, SEPTEMBER 27, 1994 at 3:00 p.m. in Room 118, Old Courthouse.

Variance to permit an open projection side yard setback (for drive-thru canopy) of 11 feet in lieu of the required 18.75 feet.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

RECORDED

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

NOTICE OF HEARING

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Variance to permit an open projection side yard setback (for drive-thru canopy) of 11 feet in lieu of the required 18.75 feet.

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over a vertical line that extends from the signature down to the printed name below.

Arnold Jablon  
Director

cc: Nations Bank  
Howard L. Alderman, Jr., Esq.  
McKee & Associates, Inc.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

Howard L. Aldemann, Jr., Esquire  
305 W. Chesapeake Avenue, Suite 113n  
Towson, Maryland 21204

RE: Item No. 65, Case No. 95-64-A  
Petitioner: Nations Bank

Dear Mr. Alderman::

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on August 17, 1994 and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- 1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.
- 2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.
- 3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

Very truly yours,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr.", is written over a faint, circular official stamp.

W. Carl Richards, Jr.  
Zoning Coordinator

WCR:jaw



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

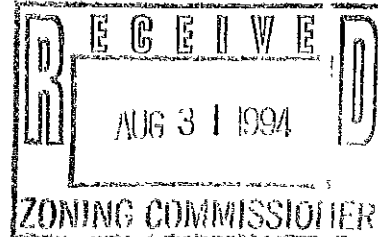
Turn 9/27  
95-64-A

TO: Arnold Jablon, Director  
Zoning Administration &  
Development Management

FROM: Pat Keller, Director  
Office of Planning and Zoning

DATE: August 29, 1994

SUBJECT: 25 Slade Avenue



INFORMATION:

Item Number: 65

Petitioner: Nations Bank

Property Size: \_\_\_\_\_

Zoning: B.L.-A.S.

Requested Action: \_\_\_\_\_

Hearing Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

SUMMARY OF RECOMMENDATIONS:

The Office of Planning and Zoning supports the petitioner's request. The site is located in the Pikesville Revitalization Plan area and is consistent with the intent of the Plan (a document adopted by the Baltimore County Council on October 7, 1991).

Prepared by: \_\_\_\_\_

Division Chief: \_\_\_\_\_

PK/JL:lw

MICROFILMED

BALTIMORE COUNTY, MARYLAND  
I N T E R O F F I C E   C O R R E S P O N D E N C E

TO: Arnold Jablon, Director      DATE: September 6, 1994  
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, Chief  
Developers Engineering Section

RE: Zoning Advisory Committee Meeting  
for September 6, 1994  
Item No. 65

The Developers Engineering Section has reviewed the subject zoning item. If a variance is granted for this site, the proposed entrance is subject to Department of Public Works, Standard Design Detail for a single commercial entrance, Plate R-32, "maximum entrance width of 35 feet."

In addition, this site is subject to the 10-foot wide landscape buffer along the northeast property line.

The proposed "angled" parking spaces shall be changed to "perpendicular" spaces.

RWB:sw

*[Handwritten signature]*

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

95-64

TO: ZADM

DATE: 8/31/94

FROM: DEPRM  
Development Coordination

SUBJECT: Zoning Advisory Committee  
Agenda: 8/29/94

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 63  
64  
65  
66  
68  
69  
70  
71  
72

LS:sp

LETTY2/DEPRM/TXTSBP

10/10/94



Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 08/25/94

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 60, 62, 63, 64, 65,  
67, 68, 69, 70, 71 AND 72.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





**Maryland Department of Transportation**  
**State Highway Administration**

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

8-26-94

Ms. Julie Winiarski  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No.: +65 (RT)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*

*for* David Ramsey, Acting Chief  
Engineering Access Permits  
Division

BS/

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

**MICROFILMED**

|                                      |   |                     |
|--------------------------------------|---|---------------------|
| RE: PETITION FOR VARIANCE            | * | BEFORE THE          |
| 25 Slade Avenue, SE/S Slade Avenue,  |   |                     |
| 128+/- NE of c/l Reisterstown Road   | * | ZONING COMMISSIONER |
| 3rd Election Dist., 2nd Councilmanic | * |                     |
|                                      |   | OF BALTIMORE COUNTY |
| Nations Bank                         |   |                     |
| Petitioners                          | * | CASE NO. 95-64-A    |
| * * * * *                            |   |                     |

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

Carole S. Demilio  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of August, 1994, a copy of the foregoing Entry of Appearance was mailed to Howard L. Alderman, Jr., Esquire, Levin & Gann, P.A., 305 W. Chesapeake Avenue, Suite 113, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN

MICROFILMED

4245-94 ANSWER

BALTIMORE OFFICE  
MERCANTILE BANK & TRUST BUILDING  
2 HOPKINS PLAZA  
9TH FLOOR  
BALTIMORE, MARYLAND 21201  
410-539-3700  
TELECOPIER 410-625-9050

LAW OFFICES  
**LEVIN & GANN**  
A PROFESSIONAL ASSOCIATION  
305 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
410-321-0600  
TELECOPIER 410-296-2801

ELLIS LEVIN (1893-1980)

#65

HOWARD L. ALDERMAN, JR.

August 23, 1994

RECEIVED

AUG 24 1994

ZADM

**HAND DELIVERED**

Arnold Jablon, Director  
Office of Zoning Administration  
& Development Management  
111 West Chesapeake Avenue  
Room 109  
Towson, MD 21204

Re: Nations Bank - 25 Slade Avenue  
Request for Early Variance Hearing

Dear Mr. Jablon:

We represent Nations Bank in connection with the variance relief being sought at the above-referenced location. As you are no doubt aware, our clients are in the process of reconstructing the existing drive-through facility at the subject property. In connection therewith, the proposed canopy will be located an additional five feet further away from the existing side yard, however, a variance from the required setback will still be necessary.

Given that the proposed canopy location will be further from the side yard than the existing canopy, and that our client is merely reconstructing an existing facility rather than proposing new development, we would request that this issue be considered for a hearing as early as possible. Construction is underway and it is most important that our client begin its business operations at this location at the earliest possible time.

The proposed improvements will offer much improved banking services at this location and are, therefore, certainly in the best interests of the citizens of Baltimore County. For all of the reasons stated, we would respectfully request that an early hearing on this matter be set.

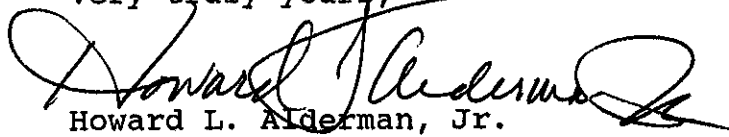
W. L. Alderman, Jr.

LEVIN & GANN, P. A.

Arnold Jablon, Director  
August 23, 1994  
Page 2

Should you need any additional information regarding your evaluation of this request, as always, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Howard L. Alderman, Jr.", with a stylized flourish at the end.

Howard L. Alderman, Jr.

HLA:bjs

cc: Nations Bank, N.A.  
Lawrence Schmidt, Zoning Commissioner  
McKee & Associates  
Ms. Gwendolyn Stephens

10/10/94

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

GEORGE MOJZISEK  
HOWARD L. AUDERMAN JR / LEVIN & GARRA PA

GEOFFREY C SCHULTZ

Lloyd Nurkiewicz

2508 N. CALVERT 4218  
305 W. Chesapeake Ave #113  
Towson MD 21204

5 SHAWAN ROAD

100 S. Charles Str



Printed with Soybean Ink  
on Recycled Paper

WIC: 80511111

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

ADDRESS

Albert Weitzman

Stanley Goldberg

Stanley Goldberg

Stanley Goldberg

11 SLADE AVE 21208

11 SLADE AVE  
21208



MICROFILMED

BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director      DATE: September 6, 1994  
Zoning Administration and Development Management

FROM: Robert W. Bowling, Chief  
Developers Engineering Section

RE: Zoning Advisory Committee Meeting  
for September 6, 1994  
Item No. 65

The Developers Engineering Section has reviewed the subject zoning item. If a variance is granted for this site, the proposed entrance is subject to Department of Public Works, Standard Design Detail for a single commercial entrance, Plate R-32, "maximum entrance width of 35 feet."

In addition, this site is subject to the 10-foot wide landscape buffer along the northeast property line.

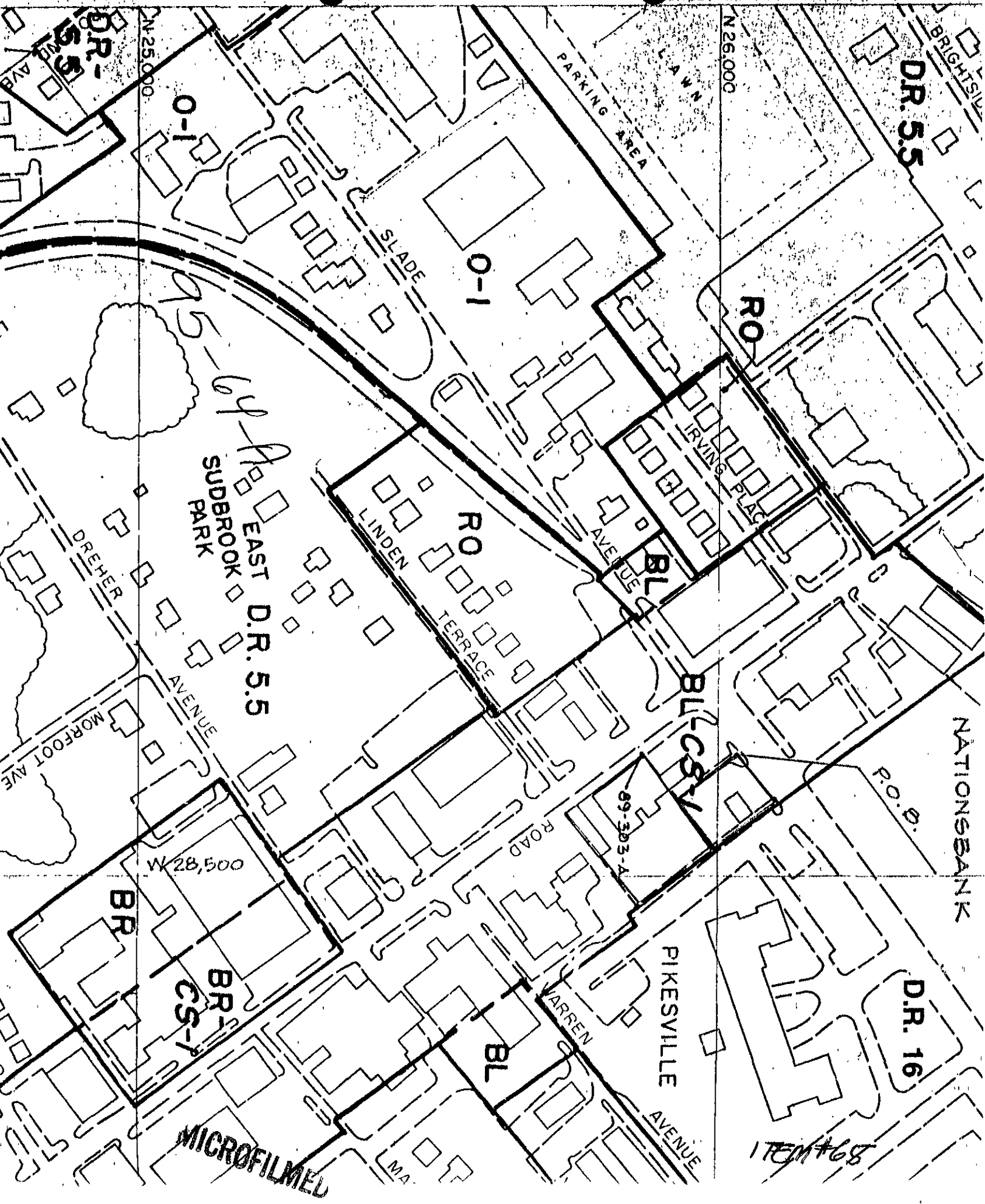
~~The proposed "angled" parking spaces shall be changed to "perpendicular" spaces.~~

RWB:sw

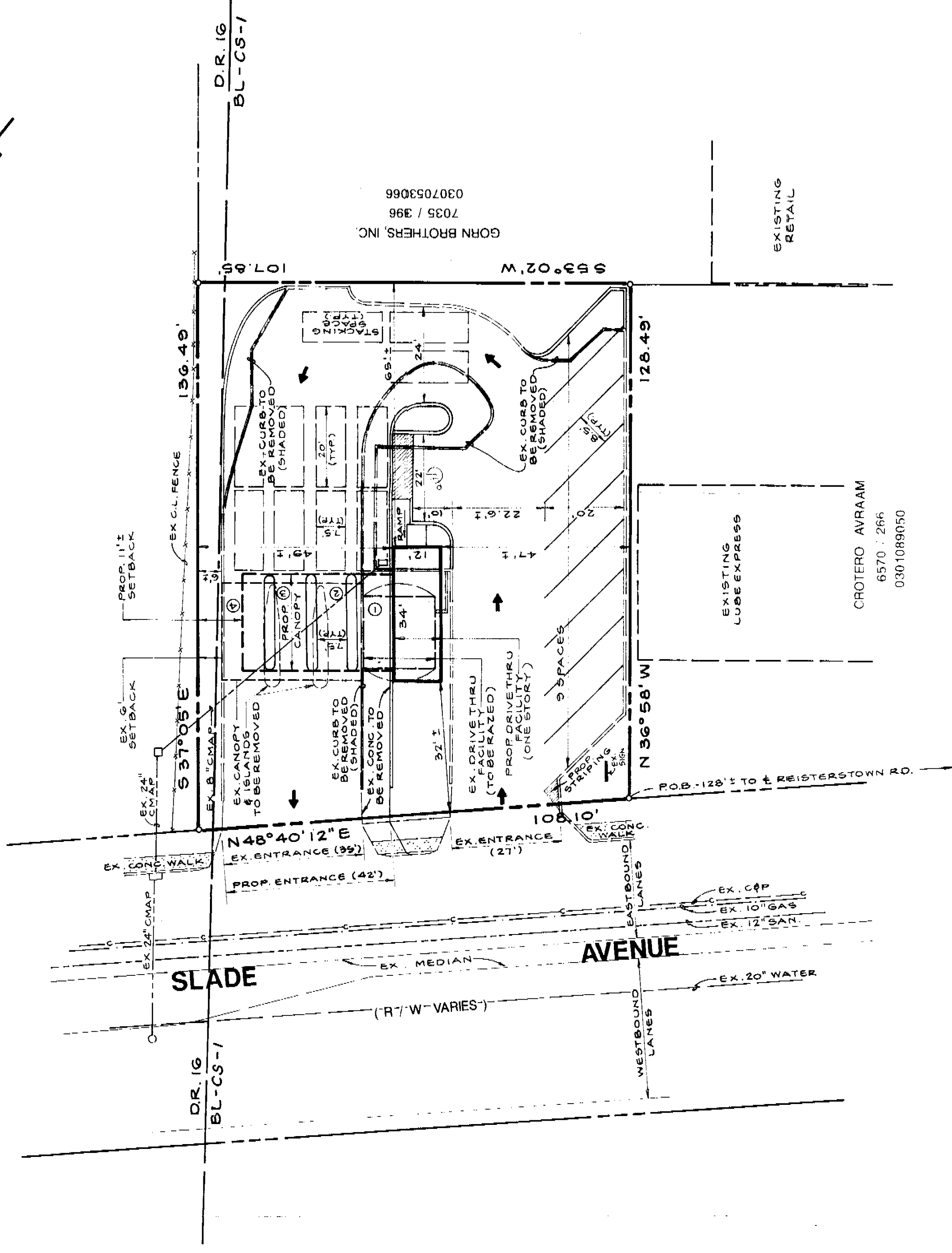
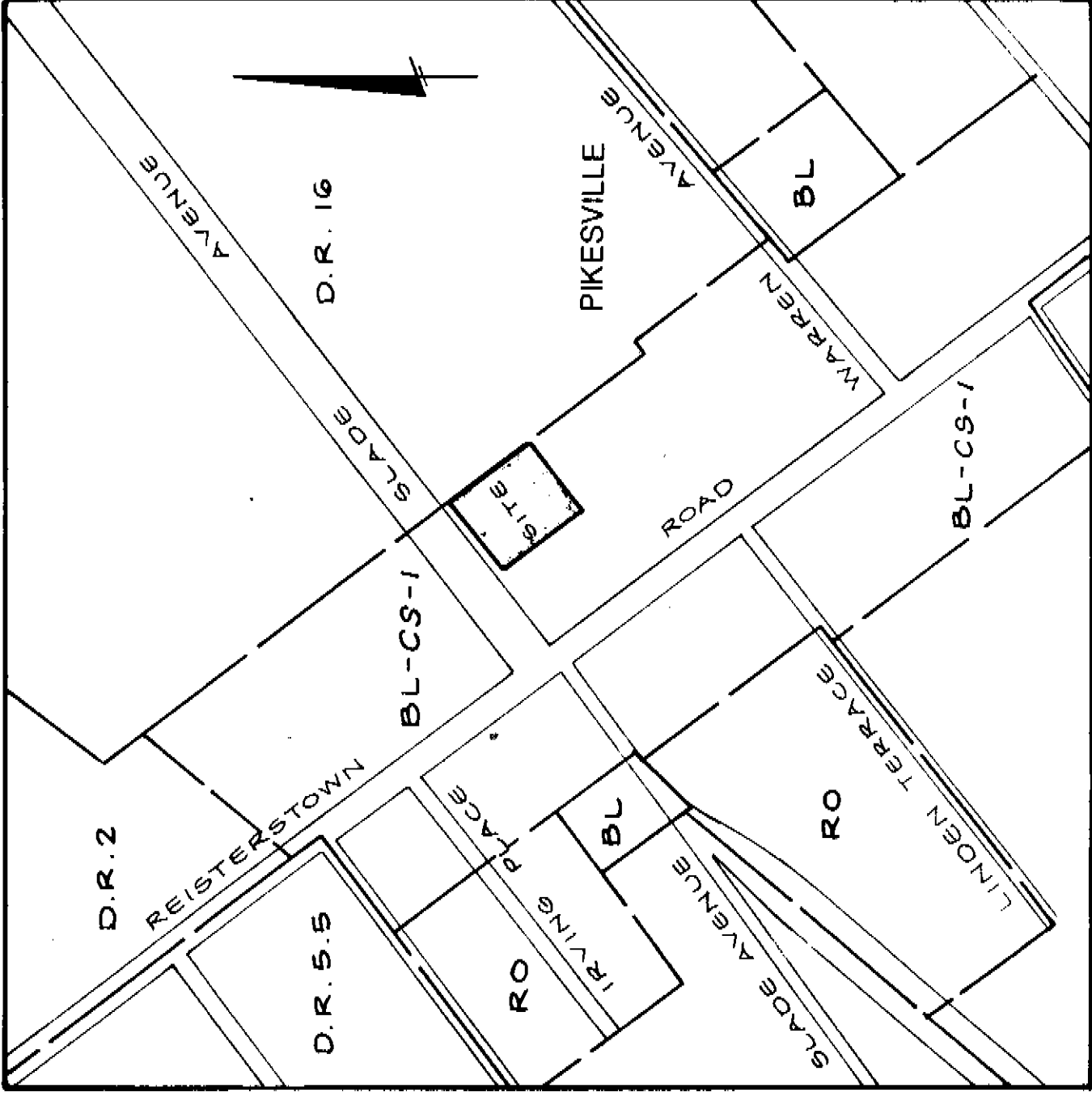
*This comment is not needed.*  
*RWB 9/27/94*

**PETITIONER'S  
EXHIBIT 3**





REQUESTING A VARIANCE TO SECTIONS 232.2b AND 301.1A TO PERMIT  
AN OPEN - PROJECTION SIDEYARD SETBACK ( FOR DRIVE - THRU CANOPY )  
OF 11 FEET IN LIEU REQUIRED 18.75 FEET.



**SCALE : 1" = 200'**

1. Existing Zoning: BL-CST
2. Area of Site: 14,274 s.f./0.33 Ac ±
3. Gross Area of Site: 17,525 s.f./0.40 Ac ±
4. Gross Floor Area: 408 s.f.
5. Parking Required: 408 s.f./1,000 s.f. x 3.3 = 2 spaces
6. Parking Proposed: 9 spaces
7. Stacking Spaces Required: 5 for 1st Aisle, 2 for each aisle, 11 total = 11 spaces
8. Stacking Spaces Proposed: 11 spaces
9. Floor Area Ratio Permitted: 3.0
10. Floor Area Ratio Proposed: 408 s.f./17,525 s.f. = 0.02

1. Existing use: Drive-thru banking facility
2. Proposed use: Drive-thru banking facility
3. Councilmatic District 2: Ingers County, zoning Map No. 7 E
4. This site is exempt from the Forest Conservation Act
5. This site is exempt from the Forest Conservation Act
6. To the best of our knowledge there are no streams, wetlands, critical areas, 100 year flood plains, archeological sites, floodplains, or other sensitive areas on this site.
7. This site is served by public water and sewer.

**THIS SITE DOES NOT LIE IN THE CHESAPEAKE BAY CRITICAL AREA.**

**PETITIONER'S  
EXHIBIT /**

**PLAT TO ACCOMPANY PETITION  
FOR ZONING VARIANCE**

AT

**PROPOSED**  
**NationsBank**

( FORMERLY MARYLAND NATIONAL BANK )

## DRIVE THROUGH FACILITY

**# 25 SLADE AVENUE**

3 RD ELECTION DISTRICT BALTIMORE CO., MARYLAND

SCALE : 1" = 20'



**McKEE & ASSOCIATES, INC.**

Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD  
HUNT VALLEY, MARYLAND 21030

(301) 527-1555

Computed by: J. D. G.

Drawn by: W.D.G.

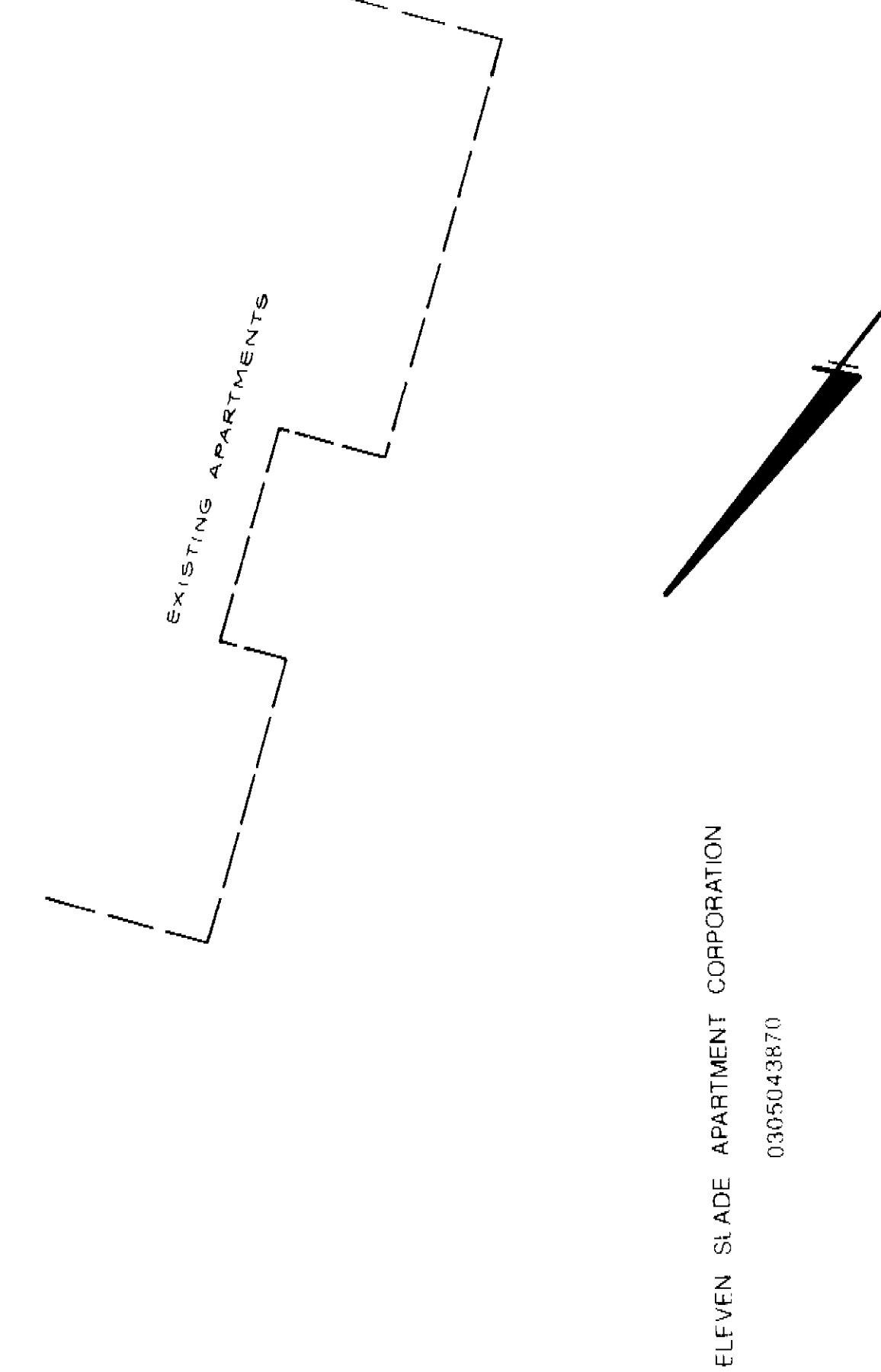
Checked by: G.C.S.

Job Number: 94.44

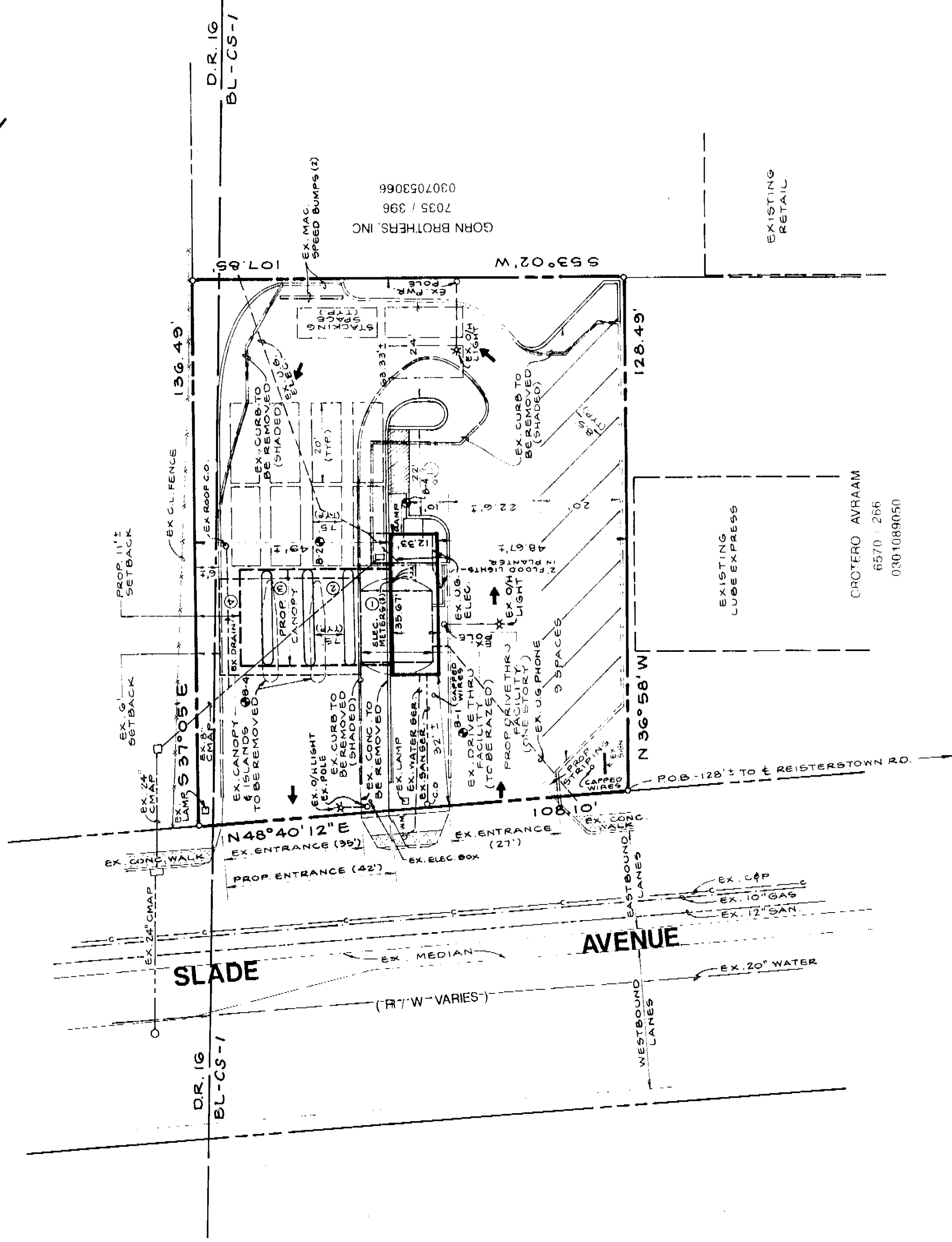


ZONING REQUEST

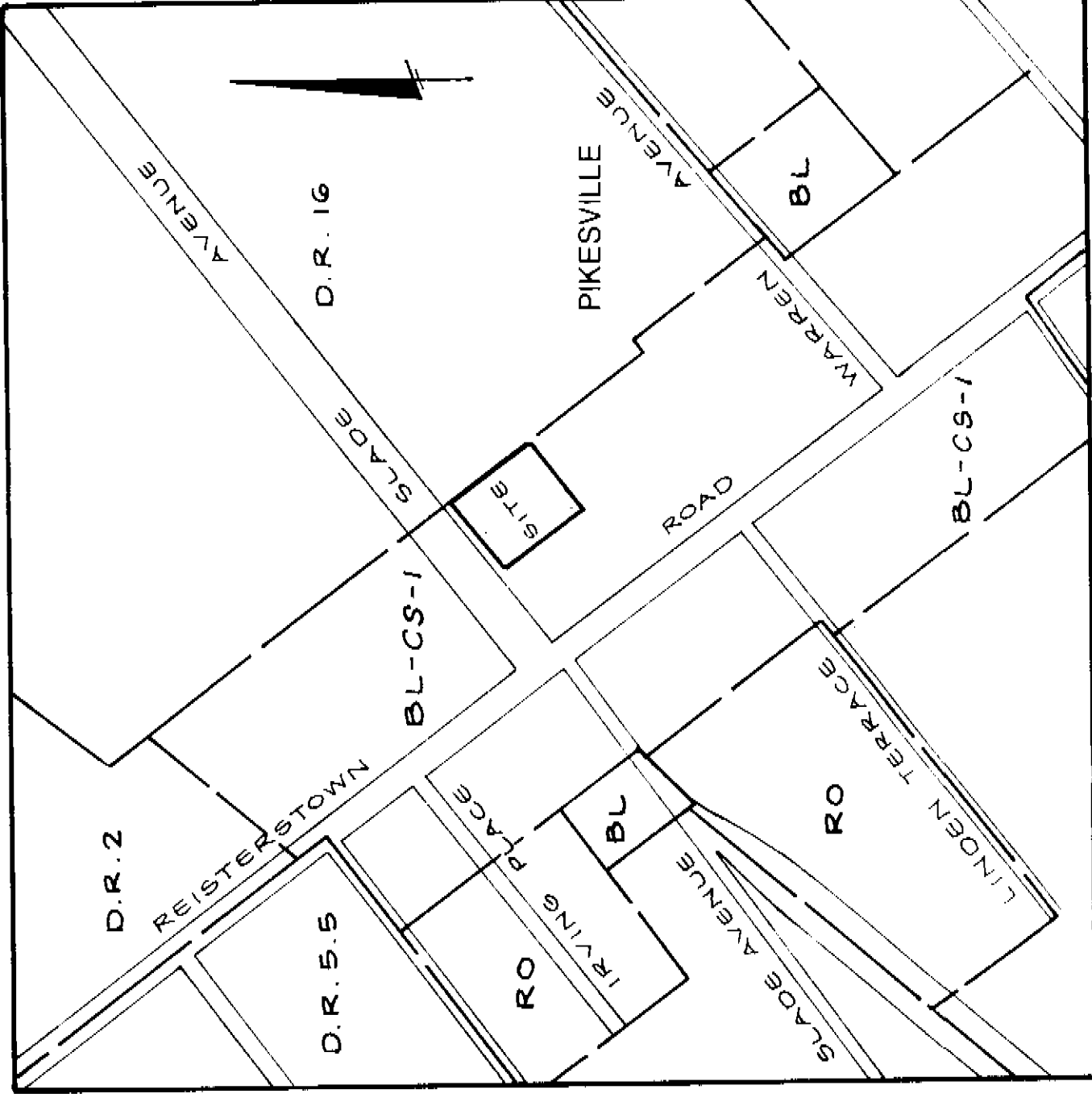
REQUESTING A VARIANCE TO SECTIONS 232.2b AND 301.1A TO PERMIT AN OPEN - PROJECTION SIDEYARD SETBACK ( FOR DRIVE - THRU CANOPY ) OF 11 FEET IN LIEU REQUIRED 18.75 FEET.



ELEVEN SLADE APARTMENT CORPORATION  
03075043870



LOCATION MAP  
SCALE: 1" = 200'



SITE DATA

- Existing Zoning: BL-CS-1
- Area of Site: 14,274 s.f./0.33 Ac ±
- Gross Area of Site: 17,525 s.f./0.40 Ac ±
- Gross Floor Area: 408 s.f.
- Parking Proposed: 9 spaces, for 1st Slale, 2 for each
- Stacking Spaces Required: additional = 11 spaces
- Stacking Spaces Proposed: 11 spaces
- Floor Area Ratio Permitted: 3.0
- Floor Area Ratio Proposed: 408 s.f./17,525 s.f. = 0.02

GENERAL NOTES

- Existing use: Drive thru banking facility
- Proposed use: Drive-thru banking facility
- Councilmanic District: 2
- This site falls on Baltimore County Zoning Map NW 2 E
- This site is exempt from the historic preservation ordinance, wetlands, and flood hazard regulations.
- This site is located within a 100 year flood plain, archeological sites, endangered species habitat, historical areas, or underground fuel tanks on this site.
- This site is served by public water and sewer.

THIS SITE DOES NOT LIE IN THE CHESAPEAKE BAY CRITICAL AREA.

PETITIONER'S  
EXHIBIT 2  
PLAT TO ACCOMPANY PETITION  
FOR ZONING VARIANCE

AT

PROPOSED

NationsBank

( FORMERLY MARYLAND NATIONAL BANK )

DRIVE THRU FACILITY

# 25 SLADE AVENUE

3 RD ELECTION DISTRICT BALTIMORE CO., MARYLAND

DATE : 8 / 15 / 94

SCALE : 1" = 20'

McKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development  
SHAWAN PLACE 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030

(301) 527-1555

Computed by J. D. G.

Drawn by W. D. G.

Checked by G. C. S.

Job Number 94-44

James W. McKee Date

(Maryland Registered No. 9012)

- REVISED PROPOSED DRIVE THRU FACILITY 9-27-94
- REVISED 9-13-94 TO REFLECT FIELD LOCATIONS OF OVERHEAD LIGHTS AND SIGNAGE
- REVISED 9-2-94 TO REFLECT FIELD LOCATION OF EXISTING UTILITIES AND BORINGS PERFORMED ON 8-26-94.



IN RE: PETITION FOR VARIANCE  
SE/S Slade Avenue, 128' +/- NE  
of the c/l Reisterstown Road  
(25 Slade Avenue)  
3rd Election District  
2nd Councilmanic District  
Nations Bank  
Petitioner

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 95-64-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 25 Slade Avenue, located in the vicinity of Pikesville in northwestern Baltimore County. The Petition was filed by the owner of the property, Nations Bank, by Lloyd Murkiewicz, Senior Project Manager, through their attorney, Howard L. Alderman, Jr., Esquire. The Petitioner seeks relief from Sections 232.2.b and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 11 feet in lieu of the required 18.75 feet for an open projection (drive-thru canopy). The subject property and relief sought are more particularly described on the site plan submitted into evidence as Petitioner's Exhibit 1.

Appearing on behalf of the Petition were Lloyd Murkiewicz, Geoffrey C. Schultz and George Mojzisek, Professional Engineers, and Howard L. Alderman, Jr., Esquire, attorney for the Petitioner. Appearing as interested parties were Albert Weitzman and Stanley Goldberg. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of .33 acres, more or less, zoned B.L.-C.S.1 and is improved with a drive-thru bank building. The Petitioner proposes to remove the existing structure and replace same with a new drive-thru banking facility in

accordance with Petitioner's Exhibit 1. The Petitioner proposes a larger drive-thru facility for its customers and as a result, the proposed canopy will be located 11 feet from the side property line. Thus, the requested variances are necessary in order to proceed as proposed.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel.

- 2 -

In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

WHEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner this 17th day of October, 1994 that the Petition for Variance seeking relief from Sections 232.2.b and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 11 feet in lieu of the required 18.75 feet for an open projection (drive-thru canopy), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Prior to the issuance of any occupancy permits, the Petitioner shall submit a landscape plan for review and approval by the Landscape Architect for Baltimore County.
- 3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

THOMAS M. KOTROCCO  
TIMOTHY M. KOTROCCO  
Deputy Zoning Commissioner  
for Baltimore County

ORDER RECEIVED FOR FILING

TMK:bjs

- 3 -

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

October 17, 1994

(410) 887-4386

Howard L. Alderman, Jr., Esquire  
305 W. Chesapeake Avenue, Suite 113  
Towson, Maryland 21204

RE: PETITION FOR VARIANCE  
SE/S Slade Avenue, 128' +/- NE of the c/l Reisterstown Road  
(25 Slade Avenue)  
3rd Election District - 2nd Councilmanic District  
Nations Bank - Petitioner  
Case No. 95-64-A

Dear Mr. Alderman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

THOMAS M. KOTROCCO  
TIMOTHY M. KOTROCCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: People's Counsel

Printed with Soybean Ink  
on Recycled Paper

MCKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030

Telephone: (410) 527-1555  
Facsimile: (410) 527-1555

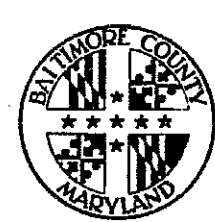
August 16, 1994



ZONING DESCRIPTION OF  
PROPOSED NATIONS BANK  
DRIVE-THROUGH BANKING FACILITY  
#25 SLADE AVENUE  
THIRD ELECTION DISTRICT  
BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the southernmost side of Slade Avenue, said point being situated 128 feet more or less measured northeasterly from the centerline of Reisterstown Road; thence leaving said point and running along the southernmost side of Slade Avenue, North 48° 40' 12" East 108.10 feet to a point; thence leaving said Slade Avenue and running South 37° 05' East 136.49 feet to a point; thence South 53° 02' West 107.85 feet to a point; thence North 36° 58' West 128.49 feet to the point of beginning. Containing 14,274 square feet or 0.33 acres of land, more or less.

Being known as #25 Slade Avenue, lying in the Third Election District.



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 25 Slade Avenue

which is presently zoned BL-CSI

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 232.2b and 301.1A to permit an open-projection sideyard setback (for drive-thru canopy) of 11 feet in lieu of the required 18.75 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)  
The bank requires an additional drive-thru lane to relieve existing back-ups, but has insufficient room on the side of the property to comply with the required setback.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Person(s):

(Type or Print Name)

Signature

Address

City

State

Zip

Signature

Address

City

State

Zip

Write on extremely durable and stiff under the pressure of paper, but use the legal owner(s) of the property which is the subject of this petition.

Nations Bank  
c/o Lloyd Murkiewicz - Sr. Project Manager  
(Type or Print Name)

Signature  
Lloyd Murkiewicz

Signature  
Howard L. Alderman, Jr., Esquire

Signature  
Lewis & Gann, P.A.

Signature  
Kane W. Chesapeake Avenue, Suite 113  
Towson, MD 21204

Signature  
Kane W. Chesapeake Avenue, Suite 113  
Towson, MD 21204

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Kane W. Chesapeake Avenue, Suite 113  
Towson, MD 21204

Signature  
Kane W. Chesapeake Avenue, Suite 113  
Towson, MD 21204

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: 3rd

Date of Posting: 9/12/94

Posted for: Variance

Petitioner: Nations Bank

Location of property: 25 Slade Ave. #25

Location of Sign: 25 Slade Ave. property being zoned

Remarks:

Posted by: M. Kotrocco

Date of return: 9/12/94

Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., Sept. 12, 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Sept. 10, 1994

THE JEFFERSONIAN  
A. Henrichson  
LEGAL AD. - TOWSON

LAURENCE E. BROWDER, Jr.  
Zoning Administrator for  
Baltimore County  
111 West Chesapeake Avenue  
Towson, MD 21204  
Tel: 410-527-1555  
Fax: 410-527-1555  
E-mail: lbrowder@bcgov.org  
Internet: lbrowder@bcgov.org

receipt  
95-64-A

Account: R-001-0150

Number: 65

R.T.

Date: 8/17/94  
Nurkiewicz  
#25 Slade Ave.

020 - VARIANCE - \$ 250.00  
050 - SIGN - \$ 35.00  
TOTAL - \$ 285.00

01A010375M1CHRC  
84 C00229F008-17-94  
\$285.00

Cashier Validation

ORDER RECEIVED FOR FILING

321-0600

Printed with Soybean Ink  
on Recycled Paper

ESTIMATED LENGTH OF HEARING

the following date: Next Two Months

ALL OTHER

REVIEWED BY: F.T. DATE: 8-17-94

ITEM # 65

ITEM # 65





111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

**ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES**

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

**PAYMENT WILL BE MADE AS FOLLOWS:**

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

*Arnold Jablon*  
ARNOLD JABLON, DIRECTOR

**For newspaper advertising:**

Item No.: 65

Petitioner: \_\_\_\_\_

Location: \_\_\_\_\_

**PLEASE FORWARD ADVERTISING BILL TO:**

NAME: NATIONS BANK c/o LLOYD NURKIEWICZ

ADDRESS: 100 South Charles Street

BALTIMORE, MD. 21201

PHONE NUMBER: 547-4079

AJ:ggs

(Revised 04/09/93)

TO: PUTNEM PUBLISHING COMPANY  
September 1, 1994 Issue - Jeffersonian

Please forward billing to:

Nations Bank  
c/o Lloyd Nurkiewicz  
100 S. Charles Street  
Baltimore, Maryland 21201  
547-4079

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-64-A (Item 65)

25 Slade Avenue  
52/5 Slade Avenue, 128/- NE of c/l Belstarstown Road

3rd Election District - 2nd Councilmanic

Petitioner(s): Nations Bank

HEARING: TUESDAY, SEPTEMBER 27, 1994 at 3:00 p.m. in Room 118, Old Courthouse.

Variance to permit an open projection side yard setback (for drive-thru canopy) of 11 feet in lieu of the required 18.75 feet.

LAWRENCE E. SCHRIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3351.



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

**NOTICE OF HEARING**

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*Arnold Jablon*  
Arnold Jablon  
Director

cc: Nations Bank  
Howard L. Alderman, Jr., Esq.  
McKee & Associates, Inc.

NOTES: (1) HEARING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3351.

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on Recycled Paper



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

Howard L. Alderman, Jr., Esquire  
305 W. Chesapeake Avenue, Suite 113n  
Towson, Maryland 21204

RE: Item No. 65, Case No. 95-64-A  
Petitioner: Nations Bank

Dear Mr. Alderman:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on August 17, 1994 and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

Very truly yours,  
*W. Carl Richards, Jr.*  
W. Carl Richards, Jr.  
Zoning Coordinator

WCR:jaw

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on Recycled Paper

**BALTIMORE COUNTY, MARYLAND**  
**INTER-OFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director  
Zoning Administration &  
Development Management

FROM: Pat Keller, Director  
Office of Planning and Zoning

DATE: August 29, 1994

SUBJECT: 25 Slade Avenue

**INFORMATION:**

Item Number: 65

Petitioner: Nations Bank

Property Size: \_\_\_\_\_

Zoning: B.L.-A.S.

Requested Action: \_\_\_\_\_

Hearing Date: 1/1

**SUMMARY OF RECOMMENDATIONS:**

The Office of Planning and Zoning supports the petitioner's request. The site is located in the Pikeville Revitalization Plan area and is consistent with the intent of the Plan (a document adopted by the Baltimore County Council on October 7, 1991).

Prepared by: *John W. G. L.*

Division Chief: *Edmund L. Lewis*

PK/JL:lw

**BALTIMORE COUNTY, MARYLAND**  
**INTER-OFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director  
Zoning Administration and Development Management

DATE: September 6, 1994

FROM: Robert W. Bowling, Chief  
Developers Engineering Section

RE: Zoning Advisory Committee Meeting  
for September 6, 1994  
Item No. 65

The Developers Engineering Section has reviewed the subject zoning item. If a variance is granted for this site, the proposed entrance is subject to Department of Public Works, Standard Design Detail for a single commercial entrance, Plate R-32, "maximum entrance width of 36 feet."

In addition, this site is subject to the 10-foot wide landscape buffer along the northeast property line.

The proposed "angled" parking spaces shall be changed to "perpendicular" spaces.

RWB:sw

**BALTIMORE COUNTY, MARYLAND**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT**  
**INTER-OFFICE CORRESPONDENCE**

TO: ZADM

DATE: 8/31/94

FROM: DEPRM  
Development Coordination

SUBJECT: Zoning Advisory Committee  
Agenda: 8/29/94

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee items:

Item #'s: 63  
64  
65  
66  
68  
69  
70  
71  
72

LS:sp

LETTY2/DEPRM/TXTSBP



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 08/25/94

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 60, 62, 63, 66, 68, 67, 68, 69, 70, 71 AND 72.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office. PHONE 887-4881, MS-1102F

cc: File

Printed on Recycled Paper





Maryland Department of Transportation  
State Highway Administration

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

Ms. Julie Winiarski  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*

for David Ramsey, Acting Chief  
Engineering Access Permits  
Division

BS/

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

CITIZEN SIGN-IN SHEET

PLEASE PRINT CLEARLY

| NAME             | ADDRESS      |
|------------------|--------------|
| Albert Weitzman  | 11 SLADE AVE |
| Stanley Goldberg | 11 SLADE AVE |
|                  | 21208        |

PETITIONER(S) SIGN-IN SHEET

PLEASE PRINT CLEARLY

| NAME                                     | ADDRESS                   |
|------------------------------------------|---------------------------|
| GEORGE MOJZISEK                          | 2508 N. CALVERT 21218     |
| HOWARD L. ALDERMAN JR. / Levin & Gann PA | 305 W. Chesapeake Ave #13 |
| GEORGE C. SCHULTZ                        | 5 SHAWAN ROAD             |
| Lloyd Nurkiewicz                         | 100 S. Charles St         |

RE: PETITION FOR VARIANCE \*  
25 Slade Avenue, SE/S Slade Avenue,  
128 +/- NE of c/l Reisterstown Road \*  
3rd Election Dist., 2nd Councilmanic \*  
OF BALTIMORE COUNTY \*  
Nations Bank \*  
Petitioners \*  
CASE NO. 95-64-A

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County  
*Carole S. Demilio*  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of August, 1994, a copy of the foregoing Entry of Appearance was mailed to Howard L. Alderman, Jr., Esquire, Levin & Gann, P.A., 305 W. Chesapeake Avenue, Suite 113, Towson, MD 21204, attorney for Petitioners.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN

BALTIMORE OFFICE  
MERCANTILE BANK & TRUST BUILDING  
2 HOPKINS PLAZA  
9TH FLOOR  
BALTIMORE, MARYLAND 21201  
410-539-3700  
TELECOPIER 410-529-9090

LAW OFFICES  
LEVIN & GANN  
ATTORNEYS AT LAW  
305 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
410-321-0600  
TELECOPIER 410-296-2801

HOWARD L. ALDERMAN, JR.

August 23, 1994

HAND DELIVERED

Arnold Jablon, Director  
Office of Zoning Administration  
& Development Management  
111 West Chesapeake Avenue  
Room 109  
Towson, MD 21204

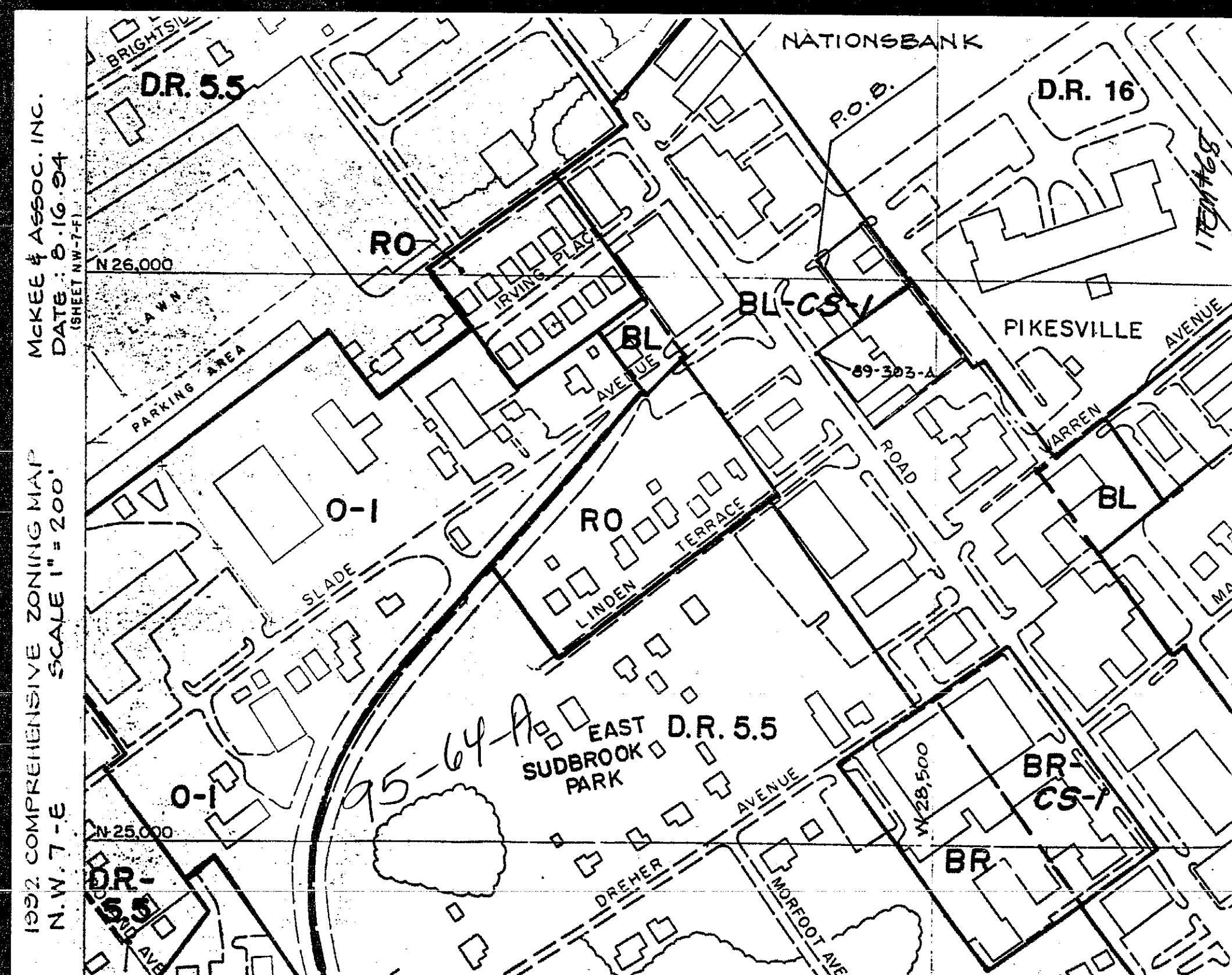
Re: Nations Bank - 25 Slade Avenue  
Request for Early Variance Hearing

Dear Mr. Jablon:

We represent Nations Bank in connection with the variance relief being sought at the above-referenced location. As you are no doubt aware, our clients are in the process of reconstructing the existing drive-through facility at the subject property. In connection therewith, the proposed canopy will be located an additional five feet further away from the existing side yard, however, a variance from the required setback will still be necessary.

Given that the proposed canopy location will be further from the side yard than the existing canopy, and that our client is merely reconstructing an existing facility rather than proposing new development, we would request that this issue be considered for a hearing as early as possible. Construction is underway and it is most important that our client begin its business operations at this location at the earliest possible time.

The proposed improvements will offer much improved banking services at this location and are, therefore, certainly in the best interests of the citizens of Baltimore County. For all of the reasons stated, we would respectfully request that an early hearing on this matter be set.



Arnold Jablon, Director  
August 23, 1994  
Page 2

Should you need any additional information regarding your evaluation of this request, as always, please do not hesitate to contact me.

Very truly yours,

*Howard L. Alderman, Jr.*  
Howard L. Alderman, Jr.

HLA:bjs

cc: Nations Bank, N.A.  
Lawrence Schmidt, Zoning Commissioner  
McKee & Associates  
Ms. Gwendolyn Stephens

BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: September 6, 1994  
Zoning Administration and Development Management

FROM: Robert W. Bowling, Chief  
Developers Engineering Section

RE: Zoning Advisory Committee Meeting  
for September 6, 1994  
Item No. 65

The Developers Engineering Section has reviewed the subject zoning item. If a variance is granted for this site, the proposed entrance is subject to Department of Public Works, Standard Design Detail for a single commercial entrance, Plate R-32, "maximum entrance width of 35 feet."

In addition, this site is subject to the 10-foot wide landscape buffer along the northeast property line.

The proposed "angled" parking spaces shall be changed to "perpendicular" spaces.

RWB:ew

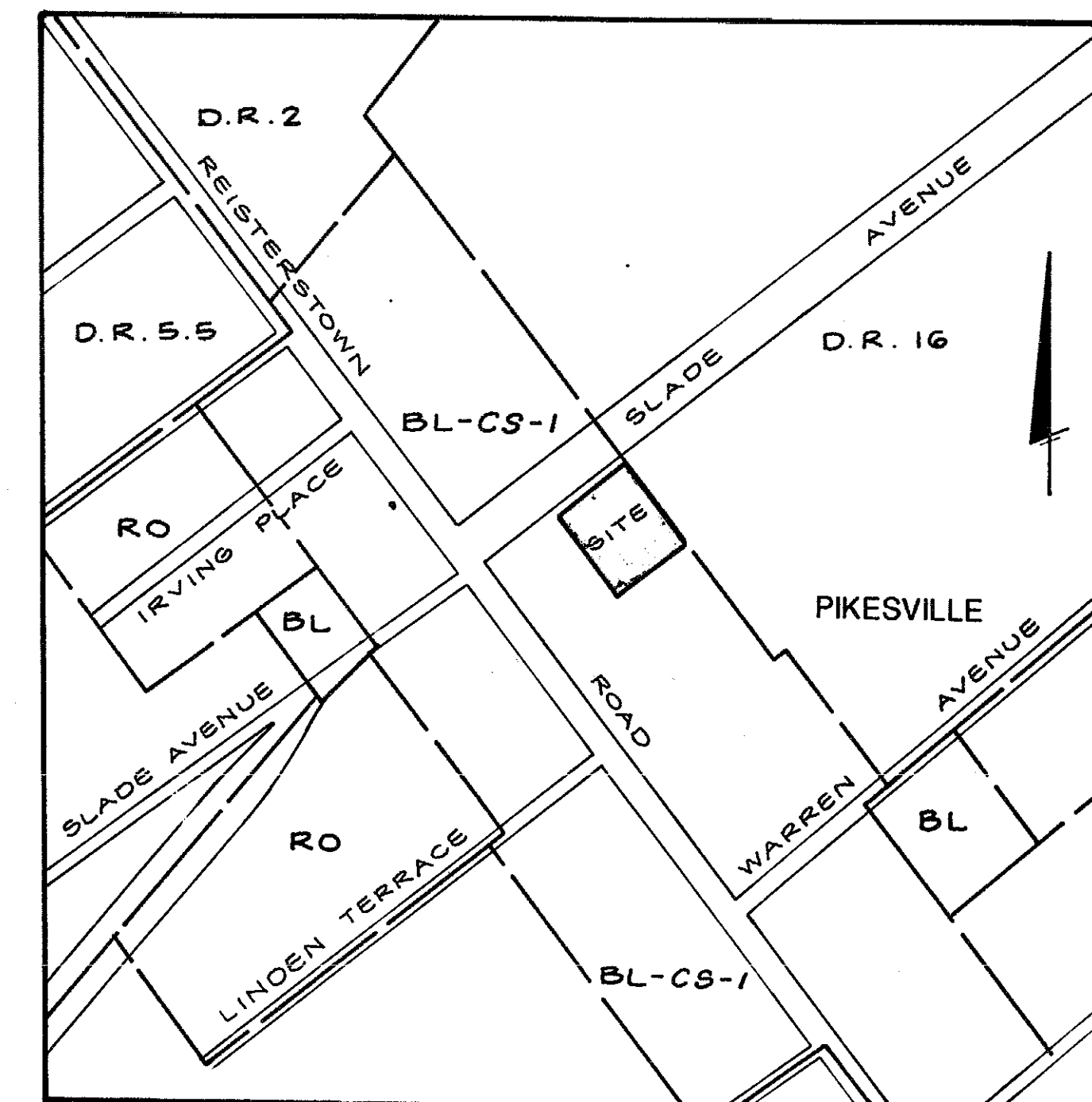
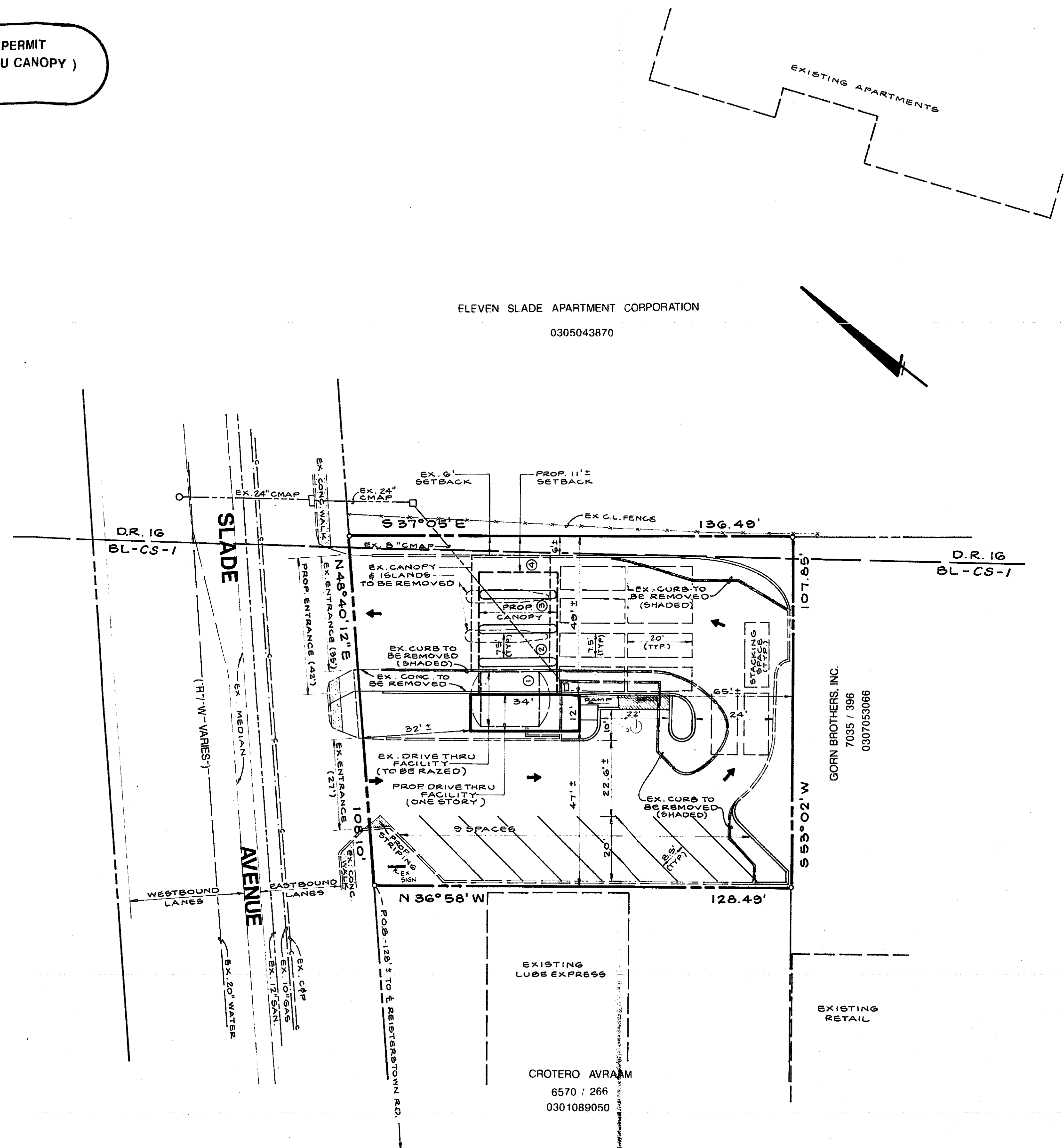
*This comment is not needed.*  
*Res 9/17/94*

PETITIONER'S  
EXHIBIT 3



# ZONING REQUEST

REQUESTING A VARIANCE TO SECTIONS 232.2b AND 301.1A TO PERMIT AN OPEN - PROJECTION SIDEYARD SETBACK ( FOR DRIVE - THRU CANOPY ) OF 11 FEET IN LIEU REQUIRED 18.75 FEET.



## LOCATION MAP

SCALE : 1" = 200'

## SITE DATA

- Existing Zoning: BL-CS1
- Area of Site: 14,274 s.f./0.33 Ac ±
- Gross Area of Site: 17,525 s.f./0.40 Ac ±
- Gross Floor Area: 408 s.f.
- Parking Required: 408 s.f./1,000 s.f. x 3.3 = 2 spaces
- Parking Proposed: 9 spaces
- Stacking Spaces Required: 5 for 1st Aisle, 2 for each additional = 11 spaces
- Stacking Spaces Proposed: 11 spaces
- Floor Area Ratio Permitted: 3.0
- Floor Area Ratio Proposed: 408 s.f./17,525 s.f. = 0.02

95-64-A

## GENERAL NOTES

- Existing use: Drive-thru banking facility
- Proposed use: Drive-thru banking facility
- Councilmanic District 2
- This site falls on Baltimore County Zoning Map NW 7 E
- This site is exempt from the Forest Conservation Act.
- To the best of our knowledge there are no streams, wetlands, critical areas, 100 year flood plains, archeological sites, endangered species habitat, historical areas, or underground fuel tanks on this site.
- This site is served by public water and sewer.

THIS SITE DOES NOT LIE IN THE CHESAPEAKE BAY CRITICAL AREA.

## PETITIONER'S EXHIBIT 1

PLAT TO ACCOMPANY PETITION

FOR ZONING VARIANCE

AT

PROPOSED

**NationsBank**

( FORMERLY MARYLAND NATIONAL BANK )

DRIVE THROUGH FACILITY

# 25 SLADE AVENUE

ITEM # 65

3 RD ELECTION DISTRICT BALTIMORE CO., MARYLAND

SCALE : 1" = 20'

DATE : 8 / 15 / 94

## McKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030

(301) 527-1555



Computed by: J.D.G.

Drawn by: W.D.G.

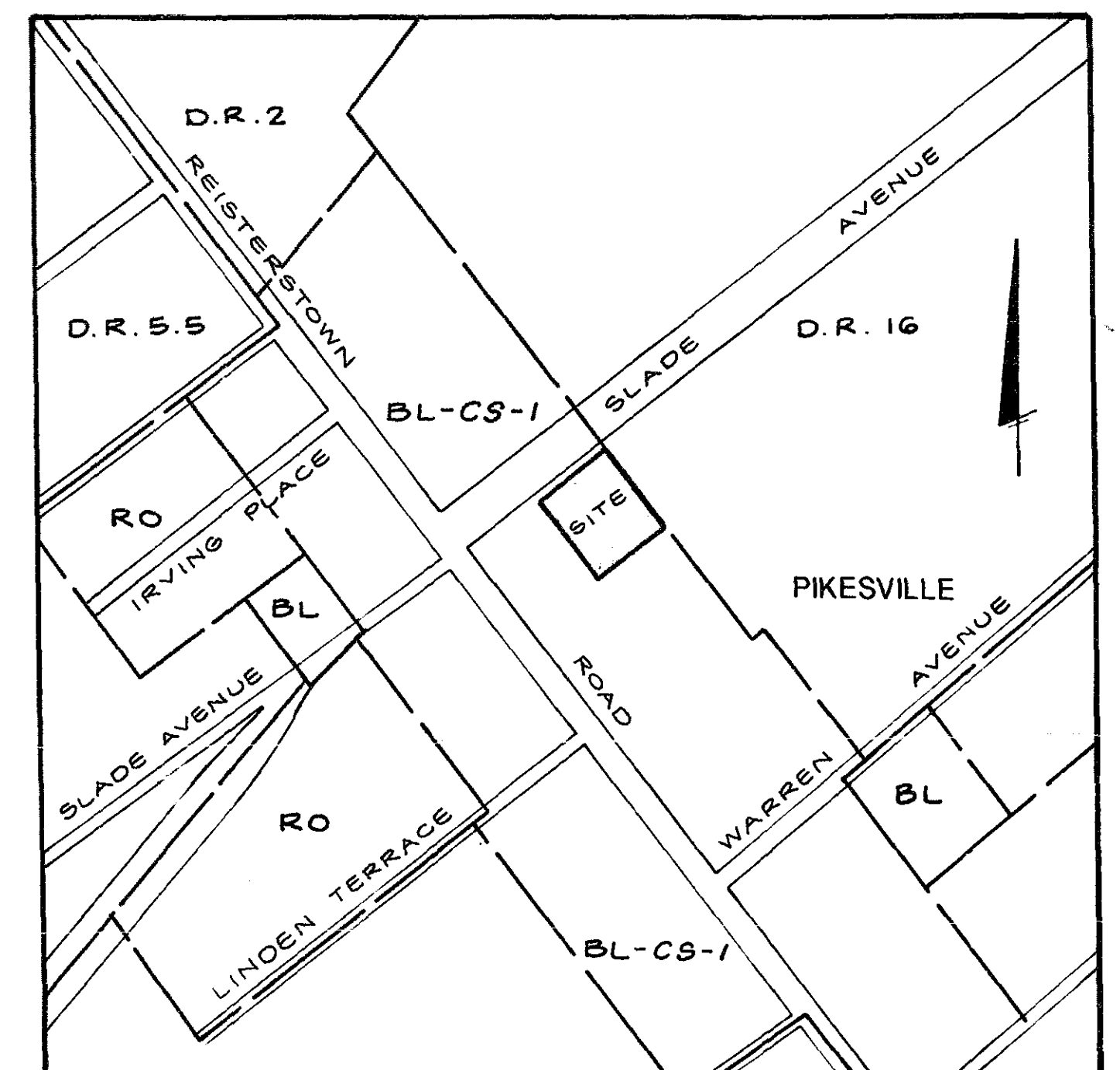
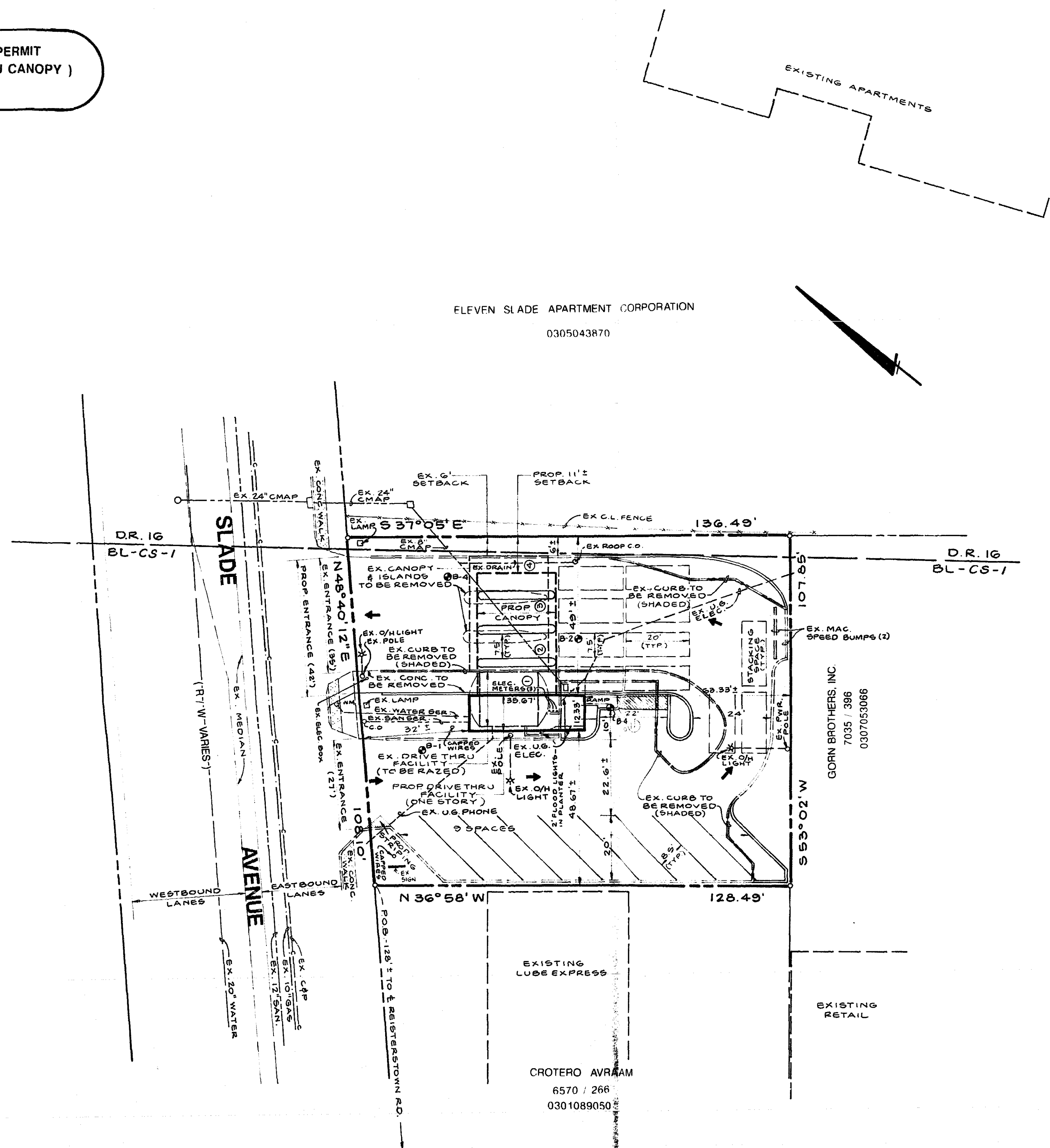
Checked by: G.C.G.

Job Number: 94-44

James W. McKee Date  
(Maryland Registered No 9012)

## ZONING REQUEST

REQUESTING A VARIANCE TO SECTIONS 232.2b AND 301.1A TO PERMIT  
AN OPEN - PROJECTION SIDEYARD SETBACK ( FOR DRIVE - THRU CANOPY )  
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## PETITIONER'S EXHIBIT 2

PLAT TO ACCOMPANY PETITION

FOR ZONING VARIANCE

AT

PROPOSED

**NationsBank**

(FORMERLY MARYLAND NATIONAL BANK)

DRIVE THROUGH FACILITY

# 25 SLADE AVENUE

3 RD ELECTION DISTRICT BALTIMORE CO., MARYLAND

SCALE: 1" = 20'

DATE: 8 / 15 / 94

## McKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development  
SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030  
(301) 527-1555

Computed by J.D.G.

Drawn by W.D.G.

Checked by G.C.S.

Job Number 94-44

James W McKee Date

(Maryland Registered No. 9012)

⑤ REVISED PROPOSED DRIVE THRU FACILITY 9-27-94

② REVISED 9-15-94 TO REFLECT FIELD LOCATIONS  
OF OVERHEAD LIGHTS, LAMPS, & ELECTRICAL  
CAPPED WIRES (ABOVE GROUND) ON 9-12-94.

① REVISED 9-2-94 TO REFLECT FIELD LOCATIONS  
OF EXISTING UTILITIES AND BORINGS PERFORMED  
ON 8-26-94.